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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/781,983

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Jon Matousek

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EXAMINER

NGUYEN, CINDY

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,983

Applicant(s)

MATOUSEK, JON

Examiner

Cindy Nguyen

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/07/06; 07/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to application filed on 01/18/04 in which claims 1-24 are presented for examination.

Information Disclosure Statement

The information disclosure statement filed on 04/07/06 and 07/19/04 are in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because it has been placed in the application file, and the information referred to therein has been considered as to the merits.

Claim Objections

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 1 recites a-c as steps, claim 5 depends upon claim 1 and recites two steps a-d. written in the long from claim 5 would have 3 steps identified as a-c. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 1 recites a-c as steps, claim 6 depends upon claim 4, thus depends on claim 1 and recites three steps a-c. written in the long from claim 6 would have 3 steps identified as a-c. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 1 recites a-c as steps, claim 7 depends upon claim 4, thus depends on claim 1 and recites three

steps a-c. written in the long from claim 7 would have 3 steps identified as a-c. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 1 recites a-c as steps, claim 8 depends upon claim 4, thus depends on claim 1 and recites two steps a-b. written in the long from claim 8 would have 2 steps identified as a-b. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 1 recites a-c as steps, claim 9 depends upon claim 4, thus depends on claim 1 and recites two steps a-b. written in the long from claim 9 would have 2 steps identified as a-b. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 13 recites a-c as steps, claim 17 depends upon claim 13 and recites four steps a-d. written in the long from claim 17 would have 3 steps identified as a-c. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 17 recites a-c as steps, claim 18 depends upon claim 17, and recites three steps a-c. written in the long from claim 18 would have 3 steps identified as a-c. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 17 recites a-c as steps, claim 19 depends upon claim 17, and recites three steps a-c. written in the long from claim 19 would have 3 steps identified as a-c. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 17 recites a-c as steps, claim 20 depends upon claim 17, and recites two steps a-b. written in the long from claim 20 would have 2 steps identified as a-b. Each limitation should be referenced individually. Appropriate correction is required.

Applicant's numbering system is being objected to for using the same reference identifiers in dependent claims. As exemplary of the issue at hand, claim 13 recites a-c as steps, claim 21 depends upon claim 17, and recites 2 steps a-b. written in the long from claim 21 would have 2 steps identified as a-b. Each limitation should be referenced individually. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 recites the limitation "wherein obtaining a data set of exceptions" in claim 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "wherein obtaining a data set of filtered items" in claim 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "wherein identifying exceptions" in claim 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "wherein adding the subset of exceptions" in claim 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5 and 13-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Furukawa et al. (US 6594637) (hereafter Furukawa).

Regarding claims 1 and 13, Furukawa discloses: A method of filtering recurrence events (col. 2, lines 14-22, Furukawa) and a computer-readable medium bearing

computer-executable instructions which, when executed, carry out a method of filtering recurrence events comprising:

(a) in response to receiving a request to display a recurrence event , determining if a filter is required to satisfy said request (the sm schedule referred as request the event, that generates an input for inputting a routine schedule, the sum schedule number which is a uniquely identifiable number in the system and determine a schedule corresponding to a person of a same routine group event, col. 5, lines 65 to col. 6, lines 5 and col. 7, lines 60 to col. 8, lines 10, Furukawa);

(b) if a filter is required to satisfy said request, creating a data set related to said recurrence event consisting of filtered items and exceptions (basic condition and exceptional condition col. 10, lines 41 to col. 11, lines 19, Furukawa); and

(c) structuring said data set of filtered items and exceptions for display on a computing device (generating the condition such as every day, every other day, and an exceptional condition such as “a holiday is not registered and display as fig 15 and col. 10, lines 41 to col. 11, lines 19, Furukawa).

Regarding claims 2 and 14, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Furukawa discloses: wherein the request to display at least one recurrence event is generated by a client computing device (col. 11, lines 55-61, Furukawa).

Regarding claims 3 and 15, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Furukawa discloses: wherein the request to display at least one recurrence event is received by a server computing device (col. 8, lines 3-24, Furukawa).

Regarding claims 5 and 17, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Furukawa discloses: wherein creating a data set consisting of filtered items and exceptions comprises:

(a) obtaining a data set of exceptions (obtains information of holidays related to the output of the routine schedule col. 10, lines 51-58, Furukawa);

(b) obtaining a data set of filtered items, the data set of filtered items including recurrence events and exceptions (obtains information of holidays related to the output of the routine schedule col. 10, lines 51-58, Furukawa);

(c) identifying exceptions that are not included in the exceptions included in the data set of filtered items (dates matching the exceptional condition during the routine, col. 10, lines 58 to col. 11, lines 18, Furukawa); and

(d) adding the exceptions that are not included in the data set of filtered items to the data set of filtered items (excluding the dates matching the exceptional condition from the dates matching, col. 10, lines 51-58, Furukawa).

Regarding claim 18, all the limitations of this claim have been noted in the rejection of claim 17 above, respectively. In addition, Furukawa discloses: wherein obtaining a data set of exceptions comprises: (a) generating a database query that requests exceptions (col. 11, lines 10-

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29, Furukawa); b) applying said database to a database query (requested the sum schedule col. 11, lines 10-29, Furukawa); and (c) in response to said database query, receiving said data set of exceptions (generate the sum schedule and then output dates col. 11, lines 10-54, Furukawa).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 17 above, respectively. In addition, Furukawa discloses: wherein obtaining a data set of filtered items comprises: (a) generating a database query that requests recurrence events and exceptions (col. 11, lines 10-29, Furukawa); (b) applying said database query to a database query (requested the sum schedule col. 11, lines 10-29, Furukawa), and (c) in response to said database query, receiving said data set of recurrence events and exceptions (generate the sum schedule and then output dates col. 11, lines 10-54, Furukawa)..

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 17 above, respectively. In addition, Furukawa discloses: wherein identifying exceptions that are not included in the exceptions included in the data set of filtered items comprises performing a computer-implemented set difference operation between: (a) the exceptions; and (b) the data set of filtered items (col. 10, lines 58 to col. 11, lines 18, Furukawa).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 17 above, respectively. In addition, Furukawa discloses: wherein adding the subset of

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exceptions that are not included in the data set of filtered items to the data set of filtered items comprises performing a computer-implemented set union operation between: (a) the exceptions; and (b) the data set of filtered items col. 10, lines 58 to col. 11, lines 18, Furukawa).

Regarding claims 10 and 22, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Furukawa discloses: further comprising rendering said data set of filtered items structured for display on a computer device on the display of a computing device (display data set as day scheduling in fig. 15, Furukawa).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 6-9, 11, 12, 16, 18-21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furukawa et al. (US 6594637) (hereafter Furukawa) and further in view of Barnett et al. (US 6369840) (hereafter Barnett).

Regarding claims 4 and 16, all the limitations of these claims have been noted in the rejection of claims 3 and 15 above, respectively. In addition, Furukawa didn't disclose: wherein server computing device includes the database that supports a Structure Query

Language. On the other hand, B discloses: wherein server computing device includes a the database that supports a Structure Query Language (col. 10, lines 23-42, Barnett). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the database that supports a Structure Query Language in the system of Furukawa as taught by Barnett. The motivation being enable to extracting events data from external data sources such as web pages, publicly accessible files and databases.

Regarding claims 6 and 18, all the limitations of these claims have been noted in the rejection of claims 4 and 17 above, respectively. In addition, Furukawa/Barnett discloses: wherein obtaining a data set of exceptions comprises: (a) generating a database query that requests exceptions (col. 11, lines 10-29, Furukawa); b) applying said database to a database query (requested the sum schedule col. 11, lines 10-29, Furukawa); and (c) in response to said database query, receiving said data set of exceptions (generate the sum schedule and then output dates col. 11, lines 10-54, Furukawa).

Regarding claims 7 and 19, all the limitations of these claims have been noted in the rejection of claims 4 and 17 above, respectively. In addition, Furukawa/Barnett discloses: wherein obtaining a data set of filtered items comprises: (a) generating a database query that requests recurrence events and exceptions (col. 11, lines 10-29, Furukawa); (b) applying said database query to a database query (requested the sum schedule col. 11, lines 10-29, Furukawa), and (c) in response to said database query, receiving said data

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set of recurrence events and exceptions (generate the sum schedule and then output dates col. 11, lines 10-54, Furukawa)..

Regarding claims 8 and 20, all the limitations of these claims have been noted in the rejection of claims 4 and 17 above, respectively. In addition, Furukawa/Barnett discloses: wherein identifying exceptions that are not included in the exceptions included in the data set of filtered items comprises performing a computer-implemented set difference operation between: (a) the exceptions; and (b) the data set of filtered items (col. 10, lines 58 to col. 11, lines 18, Furukawa).

Regarding claims 9 and 21, all the limitations of these claims have been noted in the rejection of claims 4 and 17 above, respectively. In addition, Furukawa/Barnett discloses: wherein adding the subset of exceptions that are not included in the data set of filtered items to the data set of filtered items comprises performing a computer-implemented set union operation between: (a) the exceptions; and (b) the data set of filtered items col. 10, lines 58 to col. 11, lines 18, Furukawa).

Regarding claims 11 and 23, all the limitations of these claims have been noted in the rejection of claims 10 and 22 above, respectively. In addition, Furukawa/Barnett discloses: wherein said rendering comprises generating a Hypertext Markup Language document suitable for display by a Web browser program (col. 18, lines 23-26, Barnett)..

Regarding claims 12 and 24, all the limitations of these claims have been noted in the rejection of claims 11 and 23 above, respectively. In addition, FURUKAWA /Barnett discloses: wherein said Hypertext Markup Language document displays a calendar that contains at least one item (col. 18, lines 53-67, Barnett).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gaffin Jeffrey can be reached on 571-272-4190. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
August 17, 2006